

1 AMENDMENT TO SENATE BILL 600

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 600 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Minimum Wage Law is amended by changing  
5 Section 4 as follows:

6 (820 ILCS 105/4) (from Ch. 48, par. 1004)

7 Sec. 4. (a) Beginning January 1, 2004, and until  
8 January 1, 2005, every employer shall pay, to each of his or  
9 her employees who has reached the age of 18 years, wages at a  
10 rate of not less than \$6.50 per hour.

11 Beginning on January 1, 2005, every employer shall pay to  
12 each of his or her employees who has reached the age of 18  
13 years wages at a rate of not less than the amount established  
14 under this subsection (a).

15 On September 30, 2004, and on each following September  
16 30th, the Department of Labor shall calculate an adjusted  
17 minimum wage rate to maintain employee purchasing power by  
18 increasing the current year's minimum wage rate by the rate  
19 of inflation. The adjusted minimum wage rate shall be  
20 calculated to the nearest cent using the consumer price index  
21 for urban wage earners and clerical workers, CPI-W, or a  
22 successor index, for the 12 months prior to each September

1 1st as calculated by the United States Department of Labor.  
2 Each adjusted minimum wage rate calculated under this  
3 subsection (a) takes effect on the following January 1st.  
4 Every-employer-shall-pay-to-each-of-his--employees--in--every  
5 occupation--wages--of--not-less-than-\$2.30-per-hour-or-in-the  
6 case-of-employees-under-18-years-of-age--wages--of--not--less  
7 than--\$1.95--per-hour,--except-as-provided-in-Sections-5-and-6  
8 of-this-Act,--and-on-and-after-January-1,--1984,--every-employer  
9 shall-pay-to-each-of-his-employees-in-every-occupation--wages  
10 of--not--less-than-\$2.65-per-hour-or-in-the-case-of-employees  
11 under-18-years-of-age-wages-of-not-less-than-\$2.25-per--hour,  
12 and--on-and-after-October-1,--1984-every-employer-shall-pay-to  
13 each-of-his-employees-in-every-occupation-wages-of--not--less  
14 than--\$3.00--per--hour--or--in-the-case-of-employees-under-18  
15 years-of-age-wages-of-not-less-than-\$2.55-per-hour-and-on-and  
16 after-July-1,--1985-every-employer-shall-pay-to--each--of--his  
17 employees--in--every--occupation-wages-of-not-less-than-\$3.35  
18 per-hour-or-in-the-case-of-employees-under-18--years--of--age  
19 wages-of-not-less-than-\$2.85-per-hour.

20 At-no-time-shall-the-wages-paid-by-every-employer-to-each  
21 of-his-employees-in-every-occupation-be-less-than-the-federal  
22 minimum--hourly-wage-prescribed-by-Section-206(a)(1)-of-Title  
23 29-of-the-United-States-Code,--and-at-no-time-shall-the--wages  
24 paid--to--any-employee-under-18-years-of-age-be-more-than-50¢  
25 less-than-the-wage-required-to-be-paid-to-employees--who--are  
26 at-least-18-years-of-age.

27 (b) No employer shall discriminate between employees on  
28 the basis of sex or mental or physical handicap, except as  
29 otherwise provided in this Act by paying wages to employees  
30 at a rate less than the rate at which he pays wages to  
31 employees for the same or substantially similar work on jobs  
32 the performance of which requires equal skill, effort, and  
33 responsibility, and which are performed under similar working  
34 conditions, except where such payment is made pursuant to (1)

1 a seniority system; (2) a merit system; (3) a system which  
2 measures earnings by quantity or quality of production; or  
3 (4) a differential based on any other factor other than sex  
4 or mental or physical handicap, except as otherwise provided  
5 in this Act.

6 (c) (Blank). ~~Every employer of an employee engaged in an~~  
7 ~~occupation in which gratuities have customarily and usually~~  
8 ~~constituted and have been recognized as part of the~~  
9 ~~remuneration for hire purposes is entitled to an allowance~~  
10 ~~for gratuities as part of the hourly wage rate provided in~~  
11 ~~Section 4, subsection (a) in an amount not to exceed 40% of~~  
12 ~~the applicable minimum wage rate. The Director shall require~~  
13 ~~each employer desiring an allowance for gratuities to provide~~  
14 ~~substantial evidence that the amount claimed, which may not~~  
15 ~~exceed 40% of the applicable minimum wage rate, was received~~  
16 ~~by the employee in the period for which the claim of~~  
17 ~~exemption is made, and no part thereof was returned to the~~  
18 ~~employer.~~

19 (d) No camp counselor who resides on the premises of a  
20 seasonal camp of an organized not-for-profit corporation  
21 shall be subject to the adult minimum wage if the camp  
22 counselor (1) works 40 or more hours per week, and (2)  
23 receives a total weekly salary of not less than the adult  
24 minimum wage for a 40-hour week. If the counselor works less  
25 than 40 hours per week, the counselor shall be paid the  
26 minimum hourly wage for each hour worked. Every employer of  
27 a camp counselor under this subsection is entitled to an  
28 allowance for meals and lodging as part of the hourly wage  
29 rate provided in Section 4, subsection (a), in an amount not  
30 to exceed 25% of the minimum wage rate.

31 (e) A camp counselor employed at a day camp of an  
32 organized not-for-profit corporation is not subject to the  
33 adult minimum wage if the camp counselor is paid a stipend on  
34 a onetime or periodic basis and, if the camp counselor is a

1 minor, the minor's parent, guardian or other custodian has  
2 consented in writing to the terms of payment before the  
3 commencement of such employment.

4 (Source: P.A. 86-502.)".